



PATENT

Attorney Docket No. 016845-000300US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Paul Chang et al.

Application No.: 09/215,421

Filed: December 18, 1998

For: TELECOMMUNICATIONS  
TRANSMISSION TEST SET

Examiner: W.C. Schultz

Art Unit: 2664

DECLARATION UNDER  
37 C.F.R. § 1.131

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, the undersigned inventors, declare as follows:

1. We are all the co-inventors of the above-captioned patent application.
2. We understand that in an Office Action, certain of the claims have been rejected as unpatentable over Mohammadian et al., U.S. Patent No. 6,064,721 (filed October 22, 1997) and Kahkoska et al., U.S. Patent No. 6,002,671 (filed September 3, 1997).
3. We conceived the invention disclosed and claimed in the relevant claims of the above application prior to September 3, 1997. We diligently reduced to practice the invention disclosed and claimed in the relevant claims of the above application.
4. Attached as Exhibit A are specification notes (confidential information redacted) dated February 22, 1997 for HDSL and ADSL features corresponding to an embodiment of the present invention. Note the various types of tests to be implemented.
5. Attached as Exhibit B is a document dated April 1997 concerning preliminary specifications for an embodiment of the present invention. Note the various types of tests to be implemented.

6. Attached as Exhibit C is a document dated July 1997 concerning preliminary specifications for an embodiment of the present invention. Note the plug-in modules to be implemented.

7. Attached as Exhibit D is a document dated August 1997 concerning preliminary specifications for an embodiment of the present invention. Note the plug-in modules to be implemented.

8. Attached as Exhibit E is a design sheet dated September 19, 1997 for a printed circuit board for an xDSL module relating to an embodiment of the present invention.

9. Attached as Exhibit F are meeting notes (confidential information redacted) dated September 23, 1997 and September 24, 1997 regarding various aspects of an embodiment of the present invention. Note the various types of tests being implemented, the plug-in modules being implemented, and the development progression.

10. Attached as Exhibit G is a marketing requirements document dated October 30, 1997 relating to an embodiment of the present invention. Note the continued development of test implementation.

11. Attached as Exhibit H is a marketing requirements document (confidential information redacted) dated February 28, 1998 relating to an embodiment of the present invention. Note the continued development of the material from the earlier marketing requirements document (Exhibit G).

12. Attached as Exhibit I is a design sheet dated June 11, 1998 for an xDSL case for an xDSL module relating to an embodiment of the present invention.

13. The documents above show that we conceived the invention disclosed and claimed in the relevant claims of the above application prior to September 3, 1997. We diligently reduced to practice the invention disclosed and claimed in the relevant claims of the above application, as indicated by the progress shown in the marketing requirements documents and the other documents above.

14. Attached as Exhibit J is a cover letter dated October 2, 1998 from Truong Dinh enclosing a first draft of a patent application on our invention.


15. Attached as Exhibit K is a cover letter dated October 26, 1998 from Truong Dinh enclosing a second draft of a patent application on our invention.

16. Attached as Exhibit L is a cover letter dated December 11, 1998 from Truong Dinh enclosing a third draft of a patent application on our invention.

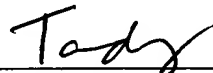
17. From October 2, 1998 until the patent application was filed with the Patent Office on December 12, 1998, we diligently worked on reducing the invention to practice by reviewing and revising the patent application.

18. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

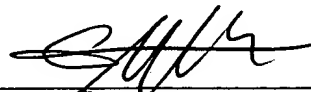
Dated \_\_\_\_\_

  
\_\_\_\_\_  
Paul Chang

Dated 3/4/04

  
\_\_\_\_\_  
Tom Dang

Dated 3-4-04

  
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Chi Lin Wu